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DATE: October 13, 2004

PTO IDENTIFIER: Application Number 10/711,398-Conf. #5397
Patent Number

Inventor: Alexander P. RIGOPULOS

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP

John D. Lanza

PHONE: (617) 227-7400

Attorney Dkt. #: HXT-007

PAGES (Including Cover Sheet): 10

CONTENTS: Fee Transmittal (1 page: in duplicate);
Amendment Transmittal (1 page: in duplicate); and
Amendment (6 pages).

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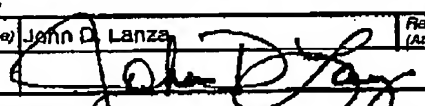

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PTO/SB/17 (10-04v2)

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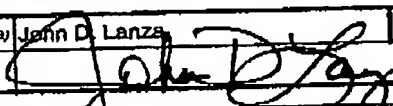
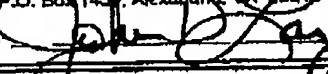
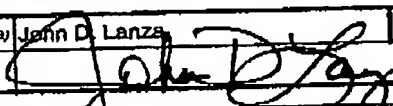
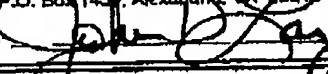
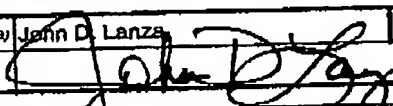
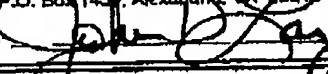
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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below Dated: October 13, 2004 Signature:  (John D. Lanza)																																																	

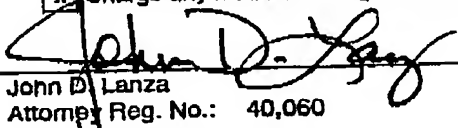
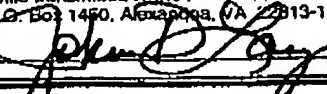
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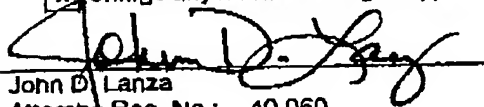
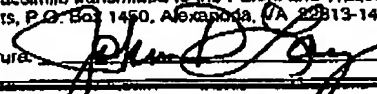
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Dated: October 13, 2004 Signature:  (John D. Lanza)					
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AMENDMENT TRANSMITTAL LETTER				Docket No. HXT-007	
Application No. 10/711,398-Conf. #5397		Filing Date September 16, 2004		Examiner Not Yet Assigned	
				Art Unit N/A	
Applicant(s): Alexander P. RIGOPULOS					
Invention: CREATING AND SELLING A MUSIC-BASED VIDEO GAME					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	32	- 26 =	6	x 18	108.00
Independent Claims	2	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					108.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input checked="" type="checkbox"/> Please charge Deposit Account No. <u>12-0080</u> in the amount of \$ <u>108.00</u> A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 John D. Lanza Attorney Reg. No.: 40,060 LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				Dated: <u>October 13, 2004</u>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-8306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated: October 13, 2004 Signature:  (John D. Lanza)					

COPY

AMENDMENT TRANSMITTAL LETTER			Docket No. HXT-007		
Application No. 10/711,398-Conf. #5397	Filing Date September 16, 2004	Examiner Not Yet Assigned	Art Unit N/A		
Applicant(s): Alexander P. RIGOPULOS					
Invention: CREATING AND SELLING A MUSIC-BASED VIDEO GAME					
TO THE COMMISSIONER FOR PATENTS					
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Independent Claims	2	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					108.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
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 John D. Lanza Attorney Reg. No.: 40,060 LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				Dated: <u>October 13, 2004</u>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9308 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated October 13, 2004 Signature:  (John D. Lanza)					

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated October 13, 2004

Signature

(John D. Lanza)

Docket No.: HXT-007
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Alexander P. Rigopoulos

Application No.: 10/711,398

Art Unit: N/A

Filed: September 16, 2004

Examiner: Not Yet Assigned

For: **CREATING AND SELLING A MUSIC-BASED
VIDEO GAME**

FIRST PRELIMINARY AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.